

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHRISTOPHER JOHANSEN,)	
individually and as the representative of)	
a class of similarly-situated persons,)	
)	
Plaintiff,)	
)	Case No: 1:12-CV-07159
v.)	
)	Honorable Sara L. Ellis
VIVINT, INC.,)	
)	
Defendant.)	

STIPULATION

Plaintiff, Christopher Johansen, and Defendant, Vivint, Inc., hereby stipulate as follows:

1. In light of the Seventh Circuit's decision in *Damasco v. Clearwire Corp.*, 662 F.3d 891 (7th Cir. 2011), Plaintiff has filed a motion for class certification together with his complaint to protect against individual settlement offers that potentially could moot his claim for class-wide relief.
2. To prevent Plaintiff's motion from remaining pending for an extended period of time, and at the Court's request, the parties hereby agree as follows.
3. Upon execution and filing of this stipulation, the Court shall dismiss without prejudice the "Plaintiff's First Amended Motion for Class Certification" filed with this Court on February 13, 2013 (Dkt. 26).
4. From the time that the Court dismisses Plaintiff's First Amended Motion for Class Certification until the time the Plaintiff files a renewed motion for class certification, Vivint agrees not to make any further individual settlement offers to Plaintiff Christopher Johansen without Plaintiff's counsel's prior written consent.

The Plaintiff, CHRISTOPHER JOHANSEN.
By his Attorneys,

/s/ Brian J. Wanca

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-and-

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The Defendant, VIVNT, INC.
By its Attorneys,

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CERTIFICATE OF SERVICE

I, Martin W. Jaszcuk, an attorney, do hereby certify that I caused the foregoing STIPULATION to be served on all persons and entities registered and authorized to receive such service through the Court's Case Management/Electronic Case Files (CM/ECF) system on November 27, 2013.

By: Martin W. Jaszcuk